



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 21, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

27 June 21, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION
TRAIL EASEMENT NORTH OF CORRAL CANYON ROAD
IN THE UNINCORPORATED COMMUNITY OF MALIBU BOWL
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to vacate an easement for trail purposes north of Corral Canyon Road in the unincorporated community of Malibu Bowl, which is no longer needed for public use. The vacation of the easement has been requested by the underlying property owner to enhance the property and provide an additional buildable area.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easement for trail purposes north of Corral Canyon Road in the unincorporated community of Malibu Bowl has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that it may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.
3. Find that the easement for trail purposes north of Corral Canyon Road in the unincorporated community of Malibu Bowl is excess and there are no other public facilities located within the easement and that it may, therefore, be vacated pursuant to Section 8333(c) of the California Streets and Highways Code.

4. Find that the easement for trail purposes north of Corral Canyon Road in the unincorporated community of Malibu Bowl is not useful as a nonmotorized transportation facility as required by Section 892 of the California Streets and Highways Code.

5. Adopt the Resolution of Summary Vacation.

6. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Los Angeles County Registrar Recorder/County Clerk.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate the easement for trail purposes north of Corral Canyon Road (Easement) in the unincorporated community of Malibu Bowl, since it no longer serves the purpose for which it was dedicated and is not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The vacation of the Easement will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,000 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 2,103 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Sections 8333(a) and (c) provide that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation or the easement has been determined to be excess and there are no other public facilities located within the easement.

The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.

The County's interest in the Easement was acquired on May 25, 1925, by dedication in Tract No. 7959, as shown on map recorded in Book 113, pages 90 and 91, of Maps, in the office of the Los Angeles County Registrar-Recorder/County Clerk as an easement for trail purposes.

Mr. Scott D. Palamar, the underlying property owner, requested the vacation to provide an additional buildable area for the reconstruction of his home lost in the November 2007 wildfire.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interests in the Easement. Your action will result in the property being unencumbered by the Easement and available to the underlying property owner for use without restriction of the Easement.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the Easement.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is fluid and cursive, with the first letters of each word being capitalized and prominent.

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
TRAIL EASEMENT NORTH OF CORRAL CANYON ROAD**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:


1. The County of Los Angeles is the holder of an easement for trail purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement, north of Corral Canyon Road, is located in the unincorporated community of Malibu Bowl in the County of Los Angeles, State of California.
2. The Easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easement is excess and there are no other public facilities located within the Easement.
4. The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.
5. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, State of California, commencing with Section 8330.
6. The Director of Public Works is authorized to record the certified original resolution with the office of the Los Angeles County Registrar-Recorder/County Clerk, at which time the Easement will no longer be a public easement.
7. From and after the date this resolution is recorded, the Easement will no longer constitute a public service easement.

The foregoing resolution was on the 21st day of June, 2011, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:


ANDREA SHERIDAN ORDIN
County Counsel

By


Deputy

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By


Deputy



GT:mr

P:\MPPUB\ADMIN\MARIA\BOARD LETTER ENCLOSURE\TRAIL N CORRAL CYN RD RES ENCLOSURE

EXHIBIT A

TRAIL NORTH OF CORRAL
CANYON ROAD
TRAIL 1-51VAC

A.I.N. 4457-008 (Trail)
4457-009 (Trail)

T.G. 628-C3

I.M. 129-057

R.D. 336

S.D. 3

M0888112

LEGAL DESCRIPTION

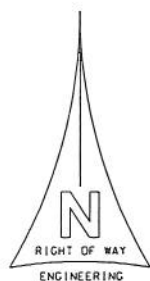
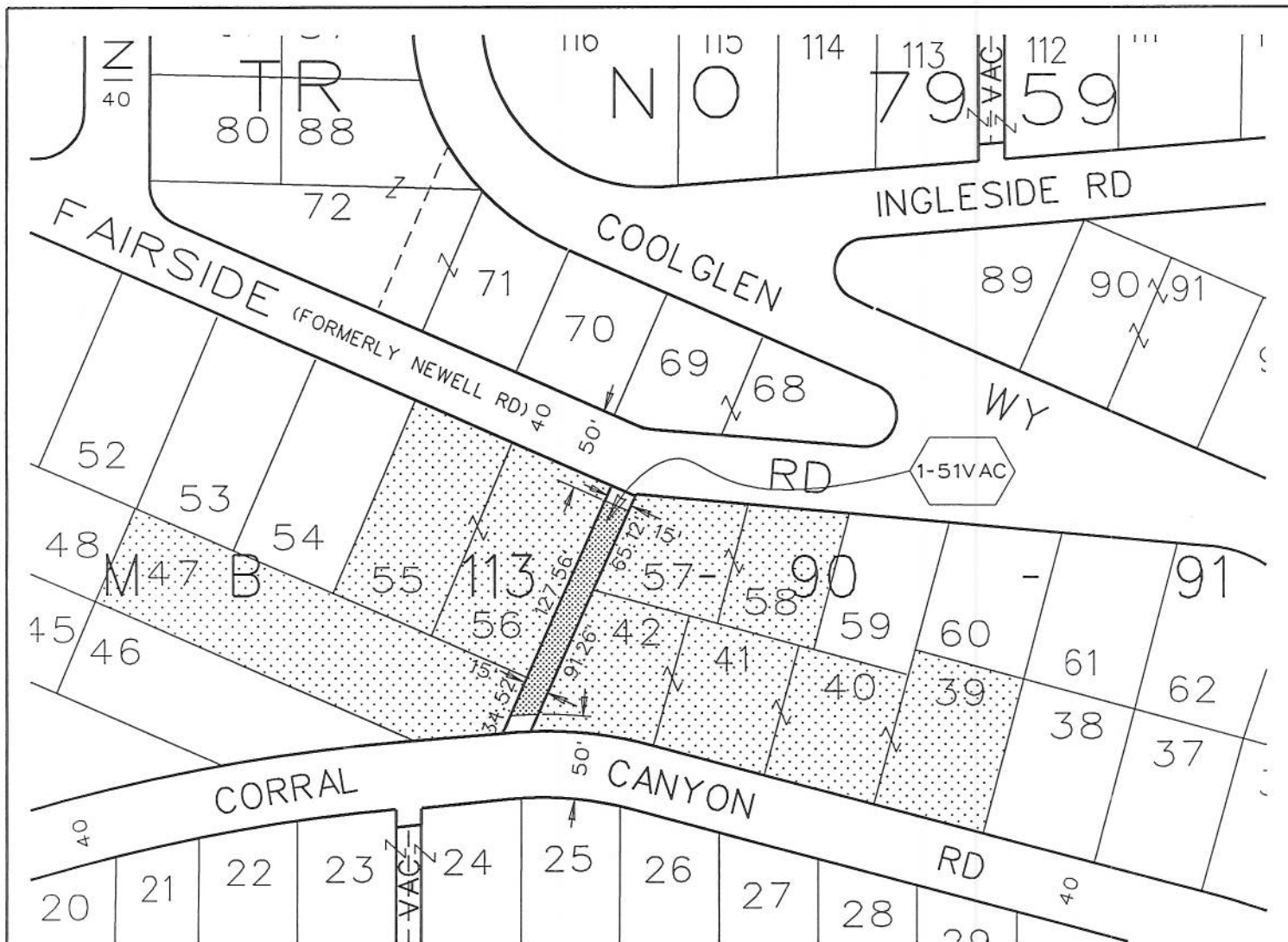
PARCEL NO. 1-51VAC (Vacation of trail easement):

That portion of that certain trail, 15 feet wide, as shown on and dedicated by map of Tract No. 7959, recorded in Book 113, pages 90 and 91, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, bounded on the north by a curve concentric with and 50 feet southerly, measured radially from that certain 30-foot radius curve in the northerly sideline of Newell Road, now known as Fairside Road, 40 feet wide as shown on said map and bounded on the south by a curve concentric with and 50 feet northerly, measured radially from that certain 230-foot radius curve in the southerly sideline of Corral Canyon Road, 40 feet wide as shown on said map.

Containing: 2,103 ± square feet

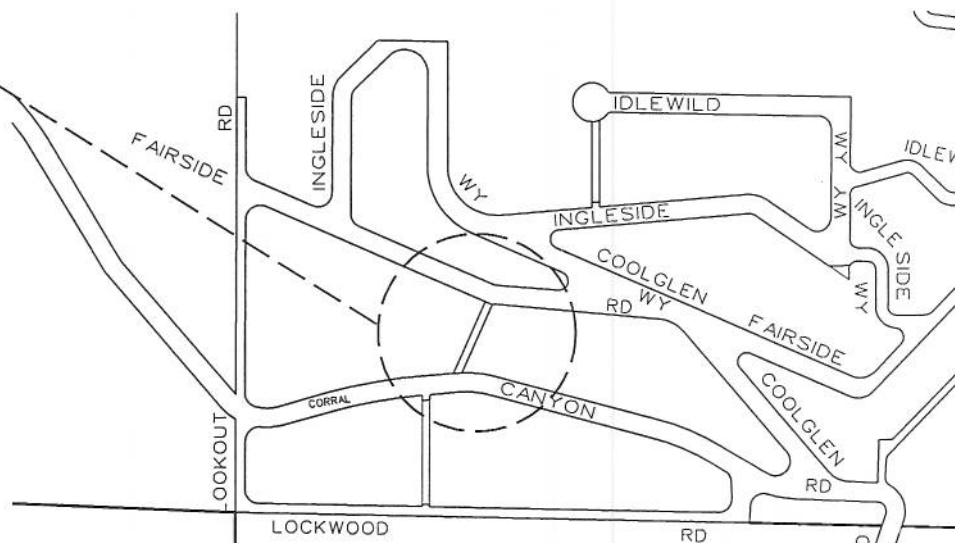
APPROVED AS TO DESCRIPTION
<u>May 23</u> , <u>2011</u>
COUNTY OF LOS ANGELES
By <u>[Signature]</u>
SUPERVISING CADASTRAL ENGINEER III
Survey/Mapping and Property Management Division

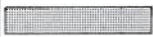

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.



**SUBJECT
LOCATION**

EXHIBIT B



LEGEND	
	Proposed Vacation of trail Total Area 2.103 ± s.f.
	Applicants

REVISIONS	1.	2.	3.
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DEPARTMENT OF PUBLIC WORKS				SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION	
SD. 3	RD. 336	A. I. N. 4457-008 (Trail) 4457-009 (Trail)	T. G. 628-C3	TRAIL N/O CORRAL CYN RD	DRAWING NO. M0888112
SCALE NONE	DATE 5-03-11	I. M. 129-057			